



MEMORANDUM
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GOE
Agenda Item No. 6 (B)

TO: Honorable Chairperson Natacha Seijas
and Members of the Governmental
Operations and Environment Committee

DATE: June 15, 2004

FROM: Kay M. Sullivan, Director
Clerk of the Board

SUBJECT: Approval of Commission
Committee Minutes

The Clerk of Board's office is submitting the following Clerk's Summary of Minutes for approval by the Governmental Operations and Environment Committee:

May 18, 2004

Attachment
KMS/js



Stephen P. Clark
Government Center
111 N.W. 1st Street
Miami, FL 33128

CLERK'S SUMMARY OF Meeting Minutes Governmental Operations and Environment Committee

Natacha Seijas (13), Chairperson; Jose "Pepe" Diaz (12), Vice Chairperson;
Commissioners Dorrin D. Rolle (2), Joe A. Martinez (11), Rebeca Sosa (6); and Javier
D. Souto (10)

Tuesday, May 18, 2004

9:30 AM

COMMISSION CHAMBERS

Members Present: Jose "Pepe" Diaz, Joe A. Martinez, Dorrin D. Rolle, Natacha Seijas.

Members Absent: Rebeca Sosa, Sen. Javier D. Souto.

Members Late: None.

Members Excused: None.

1A INVOCATION

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *In addition to the members of the Committee present at today's meeting, the following staff persons were present: Assistant County Manager Pete Hernandez, Assistant County Attorney Henry Gillman, Assistant County Attorney Joni Armstrong Coffey, and Deputy Clerks Diane Collins and Jovel Shaw.*

Assistant County Attorney Henry Gillman read the changes listed in the County Manager's Memorandum entitled, "Requested Changes to the Governmental Operations and Environment Committee Agenda."

It was moved by Commissioner Diaz that the Committee approve the May 18, 2004, County Manager's Memorandum of Changes. This motion was seconded by Commissioner Rolle, and upon being put to a vote, passed by a vote of 4-0, (Commissioners Sosa and Souto were absent).

1D CHAIRPERSON

1D1

041284 Report

REMARKS FROM CHAIRPERSON SEIJAS

Presented

Report: *Chairperson Seijas asked that the County Manager investigate and stop the practice of including in invitations sent out by county departments, a logo and message to vote in favor of the General Obligation Bond Issue.*

Chairperson Seijas requested staff take appropriate steps to ensure that the new contract for temporary laborers and waste collectors was awarded by January 2005, in order to avoid any extensions to the existing contract, which would expire in March 2005.

Assistant County Manager Pete Hernandez indicated he would follow-up with staff to address Chairperson Seijas concerns.

1E POLICY MATTERS FOR DISCUSSION

1E1

040645 Discussion Item

ERD REPORT DISCUSSING AN ANALYSIS ON THE HIRING PROCESS/RECRUITMENT CYCLE OF A COUNTY EMPLOYEE (Employee Relations Department)

Presented

Report: *Commissioner Diaz noted that he requested the foregoing Employee Relations Department (ERD) report describing the County's recruitment process. He pointed out that there were issues with the County's hiring practices and the timeframe for the recruitment process.*

Commissioner Diaz noted his intent to meet with the County Manager and sponsor legislation that would expedite and bring uniformity to the County's recruitment process.

In response to Commissioner Martinez' comments regarding the different methods for recruitment, Mr. Don Allen, Director, Employee Relations Department stated that whether or not the department utilize a resume form of recruitment or an eligible list depends upon the nature of the job.

2 DEPARTMENTS

2A

041223 Resolution

RESOLUTION AUTHORIZING THE RELEASE OF
UNNEEDED CANAL RESERVATION IN SECTION 20,
TOWNSHIP 54 SOUTH, RANGE 39 EAST (WEST OF S.W.
157 AVENUE) (Department of Environmental Resources
Management)

*Forwarded to BCC with a favorable
recommendation*

Mover: Diaz

Seconder: Martinez

Vote: 4-0

Absent: Souto, Sosa

2B

041225 Resolution

RESOLUTION RATIFYING AN AMENDMENT
GRANTING AN EXTENSION OF TIME TO AGREEMENT
NO. C-8838 WITH THE SOUTH FLORIDA WATER
MANAGEMENT DISTRICT (Department of Environmental
Resources Management)

Withdrawn

Report: *See Agenda Item 2B - Legislative File #041596 for
the amended version.*

2B

041596 Resolution

RESOLUTION AUTHORIZING AN AMENDMENT
GRANTING AN EXTENSION OF TIME TO AGREEMENT
NO. C-8838 WITH THE SOUTH FLORIDA WATER
MANAGEMENT DISTRICT [SEE ORIGINAL ITEM
UNDER FILE NO. 041225] (Department of Environmental
Resources Management)

*Forwarded to BCC with a favorable
recommendation with committee
amendment(s)*

Mover: Martinez

Seconder: Seijas

Vote: 4-0

Absent: Sosa, Souto

Report: *There being no objection to the item, it was moved
by Commissioner Diaz that the Committee forward
the foregoing proposed resolution to the full
Board with a favorable recommendation. This
motion was seconded by Commissioner Martinez,
and upon being put to a vote, passed by a vote of 4-
0, (Commissioners Sosa and Souto were absent).*

*Later in the meeting, Assistant County Manager
Pete Hernandez stated that the word "ratify"
should be changed to "authorize" in the County
Manager's Memorandum and the resolution to be
consistent.*

*Commissioner Martinez presented a motion to
reconsider the foregoing resolution. This motion
was seconded by Commissioner Diaz, and upon
being put to a vote, passed by a vote of 4-0,
(Commissioners Sosa and Souto were absent).*

*There being no objection, the Committee by
motion duly made, seconded and carried, forward
the foregoing proposed resolution as amended.*

2C

041237 Resolution

RESOLUTION AUTHORIZING PRIORITY SERVICE AREAS, EVALUATION CRITERIA AND SOLICITATION DOCUMENTS FOR FISCAL YEAR 2004-2005 COMMUNITY BASED ORGANIZATIONS (CBO) REQUEST FOR PROPOSALS (RFP) IN THE FUNDING CATEGORY OF ENVIRONMENTAL ENHANCEMENT AND EDUCATION (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Seijas

Vote: 3-1

No: Martinez

Absent: Sosa, Souto

Report: *In response to Commissioner Martinez' comments the purpose of the community based organization (CBO), Mr. John Renfrow, Director, Department of Environmental Management responded that the CBOs were used for outreach to the community for environmental enhancement and education.*

Chairperson Seijas asked that an evaluation of past performance be provided for those agencies bidding on the new RFP that had also received funding under a previous contract.

The Committee proceeded to vote on the foregoing resolution, as presented.

2D

041257 Resolution

RESOLUTION AUTHORIZING APPROVAL OF A DISCLAIMER FOR THE RELEASE OF CANAL RESERVATION NO LONGER NEEDED FOR CANAL PURPOSE IN SECTION 29, TOWNSHIP 54 SOUTH, RANGE 39 EAST (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Martinez

Vote: 4-0

Absent: Sosa, Souto

Report: *In response to Chairperson Seijas' comments regarding if the required dedication of right-of-way was recorded, Assistant County Manager Pete Hernandez advised the Committee that the right-of-way identified in the item has been recorded in the public records of Miami-Dade County.*

2E

041259 Resolution

RESOLUTION APPROVING FISCAL YEAR 2004-2005 STORMWATER BUDGET BETWEEN THE MIAMI-DADE COUNTY STORMWATER UTILITY (UTILITY) AND THE CITY OF SWEETWATER PROVIDING FOR SHARING THE COSTS OF ROUTINE MAINTENANCE OF THE MIAMI-DADE COUNTY CANALS THAT SERVE THE CITY OF SWEETWATER (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Martinez

Vote: 4-0

Absent: Sosa, Souto

Report: *In response to Commissioner Martinez' comments regarding why the utility percentages were higher in the City of Sweetwater compared to all the others, Assistant County Manager Pete Hernandez advised the Committee that it was normally related to the benefit to the municipality and unincorporated municipal services area (UMSA).*

2F

041260 Resolution

RESOLUTION APPROVING FISCAL YEAR 2004-2005 STORMWATER MANAGEMENT BUDGET FOR THE TOWN OF MEDLEY PURSUANT TO AN INTERLOCAL AGREEMENT WITH THE MIAMI-DADE COUNTY STORMWATER UTILITY (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Martinez

Vote: 4-0

Absent: Sosa, Souto

2G

041261 Resolution

RESOLUTION APPROVING FISCAL YEAR 2004-2005 STORMWATER MANAGEMENT BUDGET FOR THE CITY OF NORTH MIAMI PURSUANT TO AN INTERLOCAL AGREEMENT WITH THE MIAMI-DADE COUNTY STORMWATER UTILITY (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Martinez

Vote: 4-0

Absent: Sosa, Souto

2H

040504 Resolution

RESOLUTION WAIVING THE RESIDENCY
REQUIREMENT OF SECTION 2-11.38 OF THE MIAMI-
DADE COUNTY CODE AND APPROVING THE
APPOINTMENT OF HOWARD NELSON TO THE SOUTH
MIAMI-DADE WATERSHED PLAN ADVISORY
COMMITTEE (Department of Planning & Zoning)

Withdrawn

Report: *See Agenda Item 2H Substitute - Legislative File
#041393.*

2H SUB

041393 Resolution

RESOLUTION APPROVING THE APPOINTMENT OF
CARTER MCDOWELL TO THE SOUTH MIAMI-DADE
WATERSHED PLAN ADVISORY COMMITTEE [SEE
ORIGINAL ITEM UNDER FILE NO. 040504] (Department
of Planning & Zoning)

*Forwarded to BCC with a favorable
recommendation*

Mover: Martinez

Seconder: Diaz

Vote: 4-0

Absent: Souto, Sosa

2I

040515 Resolution

RESOLUTION AUTHORIZING THE COUNTY MANAGER
TO ADVERTISE A REQUEST FOR PROPOSALS FOR
AND ON BEHALF OF MIAMI-DADE COUNTY TO
OBTAIN INVESTIGATIVE SERVICES FOR SELECTED
WORKERS' COMPENSATION AND TORT LIABILITY
CLAIMS, TO EXERCISE ANY CANCELLATION AND RE-
ADVERTISEMENT PROVISIONS AND TO EXERCISE
ALL OTHER RIGHTS CONTAINED THEREIN RFP NO.
425 (Procurement Management Department)

Withdrawn

Report: *See Agenda Item 2I Substitute - Legislative File
#041316.*

2I SUB

041316 Resolution

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ADVERTISE A REQUEST FOR PROPOSALS FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN INVESTIGATIVE SERVICES FOR SELECTED WORKERS' COMPENSATION AND TORT LIABILITY CLAIMS, TO EXERCISE ANY CANCELLATION AND RE-ADVERTISEMENT PROVISIONS AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN RFP NO. 425 [SEE ORIGINAL ITEM UNDER FILE NO. 040515] (Procurement Management Department)

Amended (pending receipt of Leg. File No. from CA)

Mover: Martinez

Seconder: Diaz

Vote: 4-0

Absent: Sosa, Souto

Report: *In response to concerns that the reciprocity agreement between Miami-Dade and Broward Counties pertaining to local preference was not being adhered to, Chairperson Seijas requested both county's local preference ordinances be provided to the members of the Committee.*

Mr. Theodore Lucas, Director, Department of Procurement Management stated he would contact Broward County to see if Broward was enforcing the reciprocity agreement pertaining to local preference.

Following further discussion of the local preference issue, Chairperson Seijas requested that the foregoing item appear on the July 13, 2004, Board of County Commissioners' meeting agenda to allow staff time to receive the information requested from Broward County and to prepare a report.

Commissioner Martinez requested that any reports submitted by Broward County advising of contracts it had entered into with Miami-Dade County businesses be verified with the vendor.

Commissioner Martinez requested staff meet with him regarding the enforcement of quality control relating to surveillance work associated with investigate services.

The Committee by motion duly made, seconded and carried, forward the foregoing proposed resolution as amended to remove the subcontractor clause from the Request for Proposals to obtain investigative services for selected workers' compensation and tort liability claims.

2J

040409 Resolution

RESOLUTION DECLARING COUNTY-OWNED PROPERTY LOCATED AT 496 NE 29 STREET, SURPLUS, AUTHORIZING THE CONVEYANCE OF SAID PROPERTY TO THE CITY OF MIAMI, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA; AND AUTHORIZING EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE [SEE AGENDA ITEM NO. 2KSUPP SUB] (General Services Administration Department)

*Withdrawn**Mover: Diaz**Seconder: Rolle**Vote: 4-0**Absent: Sosa, Souto*

Report: *During consideration of changes to today's agenda, the Committee withdrew the foregoing proposed resolution, as recommended by the County Manager in his Memorandum of Changes dated May 18, 2004.*

2K

040528 Resolution

RESOLUTION DECLARING VARIOUS COUNTY-OWNED PROPERTIES SURPLUS; AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER; AUTHORIZING THE COUNTY MANAGER TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTIES; AND AUTHORIZING EXECUTION OF COUNTY DEEDS FOR SUCH PURPOSE (General Services Administration Department)

Withdrawn

Report: *See Agenda Item 2K Substitute - Legislative File #041344.*

2K SUB

041344 Resolution

RESOLUTION DECLARING VARIOUS COUNTY-OWNED PROPERTIES SURPLUS; AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER; AUTHORIZING THE COUNTY MANAGER TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTIES; AND AUTHORIZING EXECUTION OF COUNTY DEEDS FOR SUCH PURPOSE [SEE ORIGINAL ITEM UNDER FILE NO. 040528] (SEE AGENDA ITEM NO. 2KSUPP SUB) (General Services Administration Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Rolle

Vote: 4-0

Absent: Sosa, Souto

Report: *In response to Commissioner Diaz' comments regarding the process in declaring County-owned properties surplus, Mr. Bernard McGriff, Director, Miami-Dade County General Services Administration advised that the foregoing would offer the sale of County-owned properties surplus and the properties listed have gone through the infill housing process which determine the properties were not useable for infill housing. He stated that the properties were offered to other County agencies as well as the City of Miami and other municipalities to determine whether they had any need for the properties and no interest was expressed.*

Following discussion in connection with the non-profit groups in Miami-Dade County being offered these surplus properties, the Committee proceeded to vote on the foregoing item, as presented.

2K SUPP SUB

041352 Report

SALE OF SURPLUS PROPERTIES [SEE AGENDA ITEM NOS. 2J AND 2K SUB]

Presented

2L

040908 Resolution

RESOLUTION AUTHORIZING EXECUTION OF LEASE AGREEMENT AT 172 WEST FLAGLER STREET, SUITES A, B AND F, MIAMI, WITH JACK THOMAS, INC., AS AGENT FOR FLAGLER BUILDING J.V., FOR PREMISES TO BE UTILIZED BY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT FOR THE CONTRACTS AND SPECIFICATIONS SECTION; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

Withdrawn

Report: *See Agenda Item 2L Substitute - Legislative File #041299.*

2L SUB

041299 Resolution

RESOLUTION AUTHORIZING EXECUTION OF LEASE AGREEMENT AT 172 WEST FLAGLER STREET, SUITES A, B AND F, MIAMI, WITH JACK THOMAS, INC., AS AGENT FOR FLAGLER BUILDING J.V., FOR PREMISES TO BE UTILIZED BY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT FOR THE CONTRACTS AND SPECIFICATIONS SECTION; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 040908] (General Services Administration Department)

Forwarded to BCC without a recommendation

Mover: Diaz

Seconder: Martinez

Vote: 4-0

Absent: Sosa, Souto

Report: *In response to Chairperson Seijas' inquiry regarding the relocation cost for the Department of Environmental Resources Management's (DERM) Contracts and Specifications Group to the proposed location outlined in the resolution, Mr. Bernard McGriff, Director, Miami-Dade County General Services Administration provided an overview of the cost associated with the relocation of DERM Contracts and Specifications Group.*

Assistant County Manager Pete Hernandez advised that the relocation cost would be adjusted significantly less than the estimated \$55,000.

Chairperson Seijas asked that the foregoing item be deferred to later in the meeting to allow staff to gather and present the actual relocation cost.

Later in the meeting, Assistant County Manager Hernandez presented the actual relocation cost for the DERM Contracts and Specifications group.

Mr. McGriff offered to present the actual cost at the end of the project to the Committee along with the cost estimate that was being presented today.

Following discussion ensued in connection with the cost estimate for telephones/data installation and the entire relocation cost, the Committee proceeded to vote on the foregoing item as presented.

2M

041224 Resolution

RESOLUTION ACCEPTING CONVEYANCES OF
VARIOUS PROPERTY INTERESTS FOR ROAD
PURPOSES TO MIAMI-DADE COUNTY, FLORIDA
(Public Works Department)

*Forwarded to BCC with a favorable
recommendation*

Mover: Martinez

Seconder: Diaz

Vote: 4-0

Absent: Sosa, Souto

2N

041228 Resolution

RESOLUTION ACCEPTING CONVEYANCES OF
VARIOUS PROPERTY INTERESTS FOR ROAD
PURPOSES TO MIAMI-DADE COUNTY, FLORIDA
(Public Works Department)

Withdrawn

Report: *See Agenda Item 2N - Legislative File #041556
for the amended version.*

2N

041556 Resolution

RESOLUTION ACCEPTING CONVEYANCES OF VARIOUS PROPERTY INTERESTS FOR ROAD PURPOSES TO MIAMI-DADE COUNTY, FLORIDA [SEE ORIGINAL ITEM UNDER FILE NO. 041228] (Public Works Department)

Forwarded to BCC with a favorable recommendation with committee amendment(s)

Mover: Diaz

Seconder: Martinez

Vote: 4-0

Absent: Sosa, Souto

Report: *There being no objection to the item, it was moved by Commissioner Martinez that the Committee forward the foregoing proposed resolution to the full Board with a favorable recommendation. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 4-0, (Commissioners Sosa and Souto were absent).*

Assistant County Manager Pete Hernandez advised that item #3 entitled, "Ministerios International El Rey Jesus, Inc." listed under the Property Owner's/Grantor's outlined in the foregoing resolution should be deleted.

Chairperson Seijas presented a motion to reconsider the foregoing resolution. This motion was seconded by Commissioner Martinez, and upon being put to a vote, passed by a vote of 4-0, (Commissioners Sosa and Souto were absent).

There being no objection, the Committee by motion duly made, seconded and carried, forward the foregoing proposed resolution as amended.

2O

041226 Resolution

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN AERIAL EASEMENT AND A PERMANENT CONSTRUCTION AND MAINTENANCE EASEMENT TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR ROAD IMPROVEMENTS TO STATE ROAD 836 EXIT AT NW 72 AVE AND WEST- NORTH RAMP TO STATE ROAD 826 IN SECTION 35-53-40 (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Diaz

Vote: 4-0

Absent: Souto, Sosa

2P

041227 Resolution

RESOLUTION APPROVING CHANGE ORDER NO. ONE TO THE CONTRACT WITH FENCE MASTERS, INC., FOR ANNUAL OPEN GUARDRAIL CONTRACT NO. 13 (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NO. 662517) (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Martinez

Vote: 4-0

Absent: Sosa, Souto

Report: *Commissioner Rolle requested a status report outlining the number of waterways that needed guard rails, including a cost estimate and the timeline to complete the projects.*

Commissioner Rolle referred to canal related car accidents in both Miami-Dade and Broward Counties, and requested a report.

Mr. Aristides Rivera, Director, Miami-Dade County Public Works Department stated that he would provide a report at the next Committee meeting.

2Q

041240 Resolution

RESOLUTION REQUESTING A NON-EXCLUSIVE PERPETUAL EASEMENT FROM THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA FOR RIGHT-OF-WAY AND RELATED IMPROVEMENTS FOR THE PURPOSES OF CONSTRUCTION AND MAINTENANCE OF SOUTHWEST 42 STREET (BIRD DRIVE) FROM SOUTHWEST 162 AVENUE TO SOUTHWEST 157 AVENUE (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Martinez

Vote: 4-0

Absent: Souto, Sosa

2R

041241 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT PROVIDING ADDITIONAL FUNDS FOR THE EXISTING JOINT PROJECT AGREEMENT (JPA NO. AK579) BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Martinez

Vote: 4-0

Absent: Sosa, Souto

Report: *In response to Commissioner Martinez' inquiry regarding a listing of landscape sites that have been brought to the Miami-Dade County Landscape Committee, Assistant County Manager Pete Hernandez stated staff would provide a listing of the completed and pending projects to each member of the Committee.*

Chairperson Seijas requested that staff consider allocating remaining funding for landscaping projects on the entire East/West corridor of Miami Gardens Drive.

Assistant County Manager Hernandez responded the Miami Gardens Drive East/West Corridor would be considered.

2S

041365 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AGREEMENT WITH THE MIAMI-DADE EXPRESSWAY AUTHORITY TO PARTICIPATE IN FUNDING THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ALONG WEST 137 AVENUE FROM SW 8 STREET TO NW 12 STREET; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE THE PROVISIONS THEREIN (Public Works Department)

Withdrawn

Report: *See Agenda Item 2S - Legislative File #041608 for the amended version.*

2S

041608 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AGREEMENT WITH THE MIAMI-DADE EXPRESSWAY AUTHORITY TO PARTICIPATE IN FUNDING THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ALONG WEST 137 AVENUE FROM SW 8 STREET TO NW 12 STREET; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE THE PROVISIONS THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 041365] (Public Works Department)

Forwarded to BCC with a favorable recommendation with committee amendment(s)

Mover: Diaz

Seconder: Martinez

Vote: 4-0

Absent: Sosa, Souto

Report: *Commissioner Martinez requested a report on the project schedule and projected completion date.*

Mr. Aristides Rivera, Director, Miami-Dade County Public Works Department advised that he would provide each member of the Committee with the Miami-Dade County Expressway Authority (MDX) project schedule which outlined the completion date.

In response to Chairperson Seijas' comments pertaining to section 4 entitled, "Project Funds," Assistant County Manager Pete Hernandez noted that there was another participant in the process who was Florida Department of Transportation (FDOT) and through the County Incentive Grant Program would participate in the construction of the project.

Chairperson Seijas stated she would support forwarding the item without a recommendation to the full Board. She expressed the need for a firm commitment for whose paying for it and the County was not paying.

Assistant County Manager Hernandez discussed the financial commitment through the existing County Incentive Grant Program Agreement with FDOT.

Mr. Rivera noted that staff would provide additional information to address Chairperson Seijas' concern regarding the financial commitment for the project.

Discussion ensued in connection with the letter received by the Public Works Department regarding the financial commitment and the grant agreement.

Assistant County Attorney Henry Gillman advised

that the letter received by the Department does not legally bind FDOT and suggested that the letter be incorporated in the agreement; however, the agreement was with MDX and not with FDOT.

Following further discussion on the foregoing proposed resolution, Assistant County Attorney Gillman advised members of the Committee that the language on page 10, paragraph 4 entitled, "Projected Funds" would be amended to read "...contingent upon the County receiving the funds from FDOT obligated in FDOT's letter dated April 1, 2004 to Miami-Dade County."

The Committee by motion duly made, seconded and carried, forward the foregoing proposed resolution as amended by the County Attorney.

2T

041230 Resolution

RESOLUTION APPROVING EXECUTION OF NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENT WITH MALCOLM PIRNIE, INC. FOR ENGINEERING SERVICES (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Diaz

Vote: 4-0

Absent: Sosa, Souto

2U

041255 Request to Advertise

REQUEST TO ADVERTISE FOR ADJUSTING MANHOLE CASTINGS AND VALVE BOXES FOR A 24-MONTH PERIOD, CONTRACT NO. W-882, DIVISIONS 1 AND 2 (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Diaz

Vote: 4-0

Absent: Sosa, Souto

Report: *Following Commissioner Diaz' comments regarding the award of the two separate contracts, Mr. William Brant, Director, Miami-Dade Water and Sewer stated staff was prepared to move forward with awarding the contracts to two different companies.*

Assistant County Attorney Henry Gillman advised the Committee that the recommendation was to award two separate contracts and one company could bid on both contracts and receive both contracts.

The Committee proceeded to vote on the foregoing resolution, as presented.

2V

041363 Resolution

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO USE MIAMI-DADE WATER AND SEWER DEPARTMENT FORCES TO CONSTRUCT WATER AND SEWER FACILITIES ALONG POINT EAST DRIVE; AND WAIVING THE REQUIREMENTS OF SECTION 4.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY AND ADMINISTRATIVE ORDER 3-39 (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Diaz

Vote: 4-0

Absent: Souto, Sosa

2W

041186 Ordinance

ORDINANCE RELATING TO ZONING; ESTABLISHING PURPOSE, DEFINITIONS, REVIEW PROCESS AND STANDARDS FOR APPROVAL OF PUBLIC CHARTER SCHOOL FACILITIES; CREATING ARTICLE XI OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING SECTIONS 33-303.1, 33-311 AND 33-314 TO PROVIDE FOR CHARTER SCHOOL FACILITY APPROVALS BY BOARD OF COUNTY COMMISSIONERS AFTER RECOMMENDATION BY DEVELOPMENTAL IMPACT COMMITTEE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Planning & Zoning)

Withdrawn

Report: *See Agenda Item 2W Substitute - Legislative File #041343.*

2W SUB

041343 Ordinance

ORDINANCE RELATING TO ZONING; ESTABLISHING PURPOSE, DEFINITIONS, REVIEW PROCESS AND STANDARDS FOR APPROVAL OF PUBLIC CHARTER SCHOOL FACILITIES; CREATING ARTICLE XI OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING SECTIONS 33-303.1, 33-311 AND 33-314 TO PROVIDE FOR CHARTER SCHOOL FACILITY APPROVAL BY BOARD OF COUNTY COMMISSIONERS AFTER RECOMMENDATION BY DEVELOPMENTAL IMPACT COMMITTEE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 041186] (SEE AGENDA ITEM NO. 2X) (Department of Planning & Zoning)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Diaz

Vote: 4-0

Absent: Sosa, Souto

Report: *Chairperson Seijas announced that the foregoing proposed ordinance was open for public participation.*

Ms. Truly Burton, Builders Association of South Florida, appeared before the Committee, expressed concerns with the item, and urged the Committee to allow Mr. Juan Mayol to present amendments to the proposed ordinance.

Mr. Juan Mayol, 1 S.E. Third Avenue, representing Academy Incorporation operator of several charter schools in Miami-Dade County and proposed charter schools. He noted the following amendments should be addressed by the Committee: (1) the exemption of charter schools that have gone through the Development Impact Committee (DIC) process and have received site specific approval from the School Board, (2) the proposed charter schools that were presented to the Community Councils or the County Commission as part of the overall development plan which had a public hearing through the zoning application process in which the site was identified including the proposed number of students and grade levels, would be exempted from the public hearing process but would require the site plan approval by the DIC, and (3) to delete the language outlined in Section 33-158 (a) that the property, in regards to the zoning requirements, would come into compliance if the Charter School operation ceases; he further stated if the charter school cease operation the most likely scenario was that the school district would take over the operation of the school, and felt that section 33-158(a) was unnecessary.

Mr. Alberto Torres, Assistant Director for Zoning, Department of Planning and Zoning (DPZ) advised the Committee that the amendments to section 33-161 as read by Mr. Mayol were acceptable to DPZ and the amendment to section 33-158 was opposed by DPZ and noted that the representatives concern was addressed in section 33-158(b). He urged the Committee to maintain the language in 33-158(a).

Following Ms. Burton's comments pertaining to section 33-158 entitled, "Cessation of charter school operation" and proposed the change from 18 to 36 months for failure to begin operation, Mr. Torres stated staff would accept that proposed amendment.

Assistant County Attorney Joni Armstrong-Coffey read the following amendment into the record, that the charter school operator would cause a facility to be brought into compliance with the underlining zoning regulations.

In response to Chairperson Seijas' comments regarding how many schools would be exempted and grandfathered, Mr. Torres noted that there were three schools currently in the process.

Assistant County Attorney Armstrong-Coffey noted a draft version and asked that she be allowed time to review the proposed amendments to the ordinance. She stated that the amendment would only grandfather-in only those charter schools proposed as part of the zoning process and overall development process, which included a proffered covenant that ensured construction within a certain time for the charter school with certain limitations.

Assistant County Manager Hernandez pointed out that the DIC recommendations forwarded to the School Board were not follow-up and staff had not been able to enforce the impact to surrounding neighborhoods.

Chairperson Seijas stated the foregoing ordinance could be forwarded with a favorable recommendation with a supplement to be prepared outlining the amendments.

In response to Chairperson Seijas, Assistant County Attorney Armstrong-Coffey announced that a substitute would be prepared to reflect the recommended amendments.

Chairperson Seijas asked that the foregoing item be amended and presented at the June 8, 2004, Board meeting.

Rascio Stewart, 101 Maydear Avenue Suite 200, appeared on behalf of the Industrial Association of Dade County, and urged the Committee to support the foregoing ordinance.

Following further discussion on how to proceed with the foregoing item, Commissioner Diaz concurred with Chairperson Seijas that the foregoing item be forwarded as presented and a substitute be prepared and both items be presented to the full Board.

Assistant County Henry Gillman advised that the amendments should be read into the record at the Board meeting and the language would be provided to Chairperson Seijas to read into the record on that day.

The Committee proceeded to vote on the foregoing item, as presented.

2X

041376 Resolution

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY AND AUTHORIZING THE COUNTY TO CONSIDER AND APPROVE OR DENY APPLICATIONS FOR PUBLIC CHARTER SCHOOLS [SEE AGENDA ITEM NOS. 2W AND 2W SUBSTITUTE] (Department of Planning & Zoning)

*Forwarded to BCC with a favorable recommendation
Mover: Martinez
Seconder: Diaz
Vote: 4-0
Absent: Souto, Sosa*

3 COUNTY COMMISSION

3A

040706 Ordinance

Jose "Pepe" Diaz

ORDINANCE RELATING TO CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE; AMENDING SECTION 2-11.1(E) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE THAT COMMISSIONERS MAY SOLICIT GIFTS ON BEHALF OF NONPROFIT ORGANIZATIONS; PROVIDING FOR DISCLOSURE OF GIFTS HAVING A VALUE IN EXCESS OF \$100.00; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Second: Martinez

Vote: 4-0

Absent: Sosa, Souto

Report: *Chairperson Seijas announced that the foregoing proposed ordinance was open for public participation.*

There being no one to appear, the public hearing was closed.

The Committee proceeded to vote on the foregoing item, as presented.

3B

041152 Ordinance

Jose "Pepe" Diaz

ORDINANCE RELATING TO ZONING; PROVIDING FOR MODIFICATION OF LOT COVERAGE CONTAINED IN SECTION 33-328 OF THE CODE OF MIAMI-DADE COUNTY; AMENDING SECTION 33-328 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Second: Martinez

Vote: 4-0

Absent: Souto, Sosa

Report: *Chairperson Seijas announced that the foregoing proposed ordinance was open for public participation.*

There being no one to appear, the public hearing was closed.

The Committee proceeded to vote on the foregoing item, as presented.

3C

040930 Ordinance**Joe A. Martinez**

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-284.50 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR FINAL REVIEW OF SITE PLANS FOR TRADITIONAL NEIGHBORHOOD DEVELOPMENTS PRIOR TO FINAL PLAT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Forwarded to BCC with
recommendation to amend*

Mover: Martinez

Seconder: Diaz

Vote: 4-0

Absent: Sosa, Souto

Report: *Chairperson Seijas announced that the foregoing proposed ordinance was open for public participation.*

Mr. Richard Perez, 1 S.E. Third Avenue, Akerman, Senterfitt and Edison, P.A. appeared before the Committee and requested the foregoing item be amended to delete the sentence in section 33-284.50(d)(1), "Final Review": "...Upon approval by the Department, the applicant may proceed to develop any portion of the TND as approved under final review..."

Mr. Alberto Torres, Assistant Director for Zoning, Department of Planning and Zoning, stated the foregoing amendment was acceptable to the department.

Assistant County Attorney Henry Gillman advised the Committee that the foregoing sentence would be deleted in its entirety from the proposed ordinance.

The Committee then voted to forward the foregoing item to the Board of County Commissioners with a favorable recommendation, with committee amendments.

(NOTE: Subsequent to the Governmental Operations and Environment (GOE) Committee, the county attorney advised that the proposed amendments were not allowable and the foregoing motion was revised to reflect that the proposed ordinance was forwarded to the Board of County Commissioners with a recommendation to amend by the GOE Committee).

3D

040270 Ordinance

Katy Sorenson

ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROHIBITING THE USE OF SPECIAL TAXING DISTRICTS TO PROVIDE SIDEWALK IMPROVEMENTS OR STREET LIGHTING SERVICES IN AREAS DESIGNATED AS AGRICULTURAL ON THE COUNTY'S COMPREHENSIVE LAND USE PLAN; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Deferred to no date certain

Mover: Diaz

Seconded: Rolle

Vote: 4-0

Absent: Sosa, Souto

Report: *During consideration of changes to today's agenda, the Committee deferred the foregoing proposed resolution, as recommended by the County Manager in his Memorandum of Changes dated May 18, 2004.*

3E

041301 Resolution

Katy Sorenson

RESOLUTION DIRECTING THE COUNTY MANAGER TO DETERMINE AVAILABLE AND FEASIBLE LOCATIONS FOR PERMANENT COLLECTION CENTERS FOR THE PURPOSE OF MAKING AVAILABLE HOME CHEMICAL COLLECTION DROP OFF LOCATIONS THROUGHOUT THE COUNTY

Withdrawn

Report: *See Agenda Item 3E - Legislative File #041520 for the amended version.*

3E

041520 Resolution

Katy Sorenson

RESOLUTION DIRECTING THE COUNTY MANAGER TO DETERMINE AVAILABLE AND FEASIBLE LOCATIONS FOR PERMANENT COLLECTION CENTERS FOR THE PURPOSE OF MAKING AVAILABLE HOME CHEMICAL COLLECTION DROP OFF LOCATIONS THROUGHOUT THE COUNTY [SEE ORIGINAL ITEM UNDER FILE NO. 041301]

Forwarded to BCC with a favorable recommendation with committee amendment(s)

Mover: Rolle

Seconded: Martinez

Vote: 4-0

Absent: Souto, Sosa

Report: *Chairperson Seijas noted a correction to page 3 to delete the word "southern" and state "throughout Miami-Dade County" in the body of the resolution to make it consistent with the title of the resolution.*

The Committee proceeded to vote on the foregoing item, as amended.

3F

041183 Resolution

Bruno A. Barreiro

RESOLUTION DECLARING COMPUTER EQUIPMENT
SURPLUS AND AUTHORIZING ITS DONATION TO THE
RINCONSITO FOUNDATION, INC.

*Forwarded to BCC with a favorable
recommendation*

Mover: Rolle

Seconder: Martinez

Vote: 4-0

Absent: Sosa, Souto

3G

041199 Resolution

Jimmy L. Morales

RESOLUTION DECLARING A 1994 DODGE SEDAN
SURPLUS AND AUTHORIZING ITS DONATION TO THE
CAMILLE AND SULETTE MERILUS FOUNDATION FOR
HAITI DEVELOPMENT, INC.

*Forwarded to BCC with a favorable
recommendation*

Mover: Rolle

Seconder: Martinez

Vote: 4-0

Absent: Sosa, Souto

3H

041373 Resolution

Jose "Pepe" Diaz

RESOLUTION DIRECTING COUNTY MANAGER TO
SUBMIT TO THE BOARD MONTHLY CONSTRUCTION
CHANGE ORDER REPORT

Withdrawn

Report: *See Agenda Item 3H - Legislative File #041550
for the amended version.*

3H

041550 Resolution**Jose "Pepe" Diaz**

RESOLUTION DIRECTING COUNTY MANAGER TO
SUBMIT TO THE BOARD MONTHLY CONSTRUCTION
CHANGE ORDER REPORT [SEE ORIGINAL ITEM
UNDER FILE NO. 041373]

*Forwarded to BCC with a favorable
recommendation with committee
amendment(s)*

Mover: Diaz

Seconder: Martinez

Vote: 4-0

Absent: Sosa, Souto

Report: *It was moved by Commissioner Rolle that the
Committee forward the foregoing proposed
resolution as presented. This motion was seconded
by Commissioner Martinez, which passed by a
vote of 4-0, (Commissioners Sosa and Souto were
absent).*

*Commissioner Martinez presented a motion to
reconsider the foregoing item. This motion was
seconded by Rolle, and passed by a vote of 4-0,
(Commissioners Sosa and Souto were absent).*

*Commissioner Diaz requested that the foregoing
item be amended to add that the report should
include the Commission District in which the
construction project was taken place. Therefore,
the respective commissioner was notified and
aware of the construction project.*

*Commissioner Martinez requested that the
foregoing resolution be amended to include the
following information in the monthly Construction
Change Order report: (1) those County
departments that use the most change orders, (2)
the project timelines and departments that adhered
and did not adhere to those timelines, (3) those
departments that use or do not use the "notice to
cure" and (4) a comparison of construction
company performance under different project
managers.*

*The Committee by motion duly made, seconded
and carried, forwarded the foregoing proposed
resolution as amended.*

4 COUNTY MANAGER

4A

040802 Ordinance

ORDINANCE AMENDING SECTIONS 2-10.4 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, MODIFYING THE CODE PERTAINING TO THE ACQUISITION OF PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURAL OR LAND SURVEYING AND MAPPING SERVICES AND THE GROUPING OF PROJECTS AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE (County Manager)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Diaz

Vote: 4-0

Absent: Sosa, Souto

Report: *Chairperson Seijas announced that the foregoing proposed ordinance was open for public participation.*

There being no one to appear, the public hearing was closed.

Chairperson Seijas requested the transcript of the Citizens' Independent Transportation Trust meeting be provided to each member of the Board by Thursday, May 20, 2004, and if not, that the agreement relating to groundwater, surface water and soil contamination cleanup services be deferred from the Board's meeting of May 25, 2004.

The Committee proceeded to vote on the foregoing ordinance as presented.

4B

041246 Resolution

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTION, AS AUTHORIZED BY THE EXPEDITE ORDINANCE NO. 00-104, IN APPROVING ACTIVITIES LISTED ON THE ATTACHED SCHEDULES FOR CAPITAL IMPROVEMENT PROJECTS (County Manager)

Withdrawn

Report: *See Agenda Item 4B Substitute - Legislative File #041443.*

4B SUB

041443 Resolution

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTION, AS AUTHORIZED BY THE EXPEDITE ORDINANCE NO. 00-104, IN APPROVING ACTIVITIES LISTED ON THE ATTACHED SCHEDULES FOR CAPITAL IMPROVEMENT PROJECTS (SEE ORIGINAL ITEM UNDER FILE NO. 041246) (County Manager)

Forwarded to BCC with a favorable recommendation

Mover: Rolle

Seconder: Diaz

Vote: 4-0

Absent: Sosa, Souto

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

7 REPORTS

7A

041364 Report

REPORT ON THE STATUS OF THE PLANNING, DESIGN, CONSTRUCTION AND FUNDING OF SW 157 AVENUE, SW 136 STREET AND SW 120 STREET (County Manager)

Report Received

Report: *Mr. Aristides Rivera, Director, Public Works Department stated for the record that there was an amendment on the total amount of funding to be reimbursed an increase in the amount for \$10,000.00. He pointed out that upon finalizing the documents the correct amount would be reflected in the document.*

041585 Report

NON-AGENDA ITEMS FOR THE MAY 18, 2004,
GOVERNMENTAL OPERATIONS AND ENVIRONMENT
COMMITTEE MEETING

Presented

Report: *1. Chairperson Seijas noted that tapes of the May 17, 2004, Governmental Operations and Environment Budget Workshop would be provided to the members of the Committee who were not present. She informed Assistant County Manager Pete Hernandez that she would meet with him to discuss the remaining matters from the workshop and schedule those items for the June Committee meeting.*

2. Commissioner Rolle requested a status report on efforts to alleviate flooding in the area of NW 22 Avenue and 77th Street.

Assistant County Manager Pete Hernandez responded an update would be provided to Commissioner Rolle.

8 ADJOURNMENT

Report: *There being no further business to come before the Committee, the meeting adjourned at 12:13 p.m.*